



Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

Matter of: AAMED, Inc.

File: B-261104

Date: May 3, 1995

### DECISION

AAMED, Inc. protests the award of a contract to Lora Medical Corporation under invitation for bids No. 69D(CSC)-285-95, issued by the Department of Veterans Affairs for home oxygen services for the Lakeside VA Medical Center in Chicago.

We dismiss the protest on the basis that the protester is not an interested party.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. That is, a protester must be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a) (1995). A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7.

Here, AAMED is not an interested party to protest the award to Lora since another bidder, Health Care Services, who submitted a bid price lower than AAMED's and whose eligibility for award AAMED has not challenged, would be in line for award if the protest were sustained. AAMED accordingly lacks the direct economic interest required to maintain a protest, and its protest is dismissed.

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